

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ANTHONY DALE RUSSELL, #112117, )  
Plaintiff, )  
v. ) CIVIL CASE NO. 1:20-cv-635-ECM  
REOSHA BUTLER, *et al.*, ) (WO)  
Defendants. )

**MEMORANDUM OPINION and ORDER**

On March 7, 2023, the Magistrate Judge entered a Recommendation (doc. 40) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows that:

1. the Recommendation of the Magistrate Judge is ADOPTED;
2. the special report (doc. 31) is construed as a motion for summary judgment, and the motion for summary judgment (doc. 31) is GRANTED; and
3. this case is DISMISSED with prejudice.

A separate Final Judgment will be entered.

DONE this 27th day of March, 2023.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE